

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Carl William Harlow,

Plaintiff,

v.

Case No. 10-11493

Office of the Prosecuting Attorney
County of Oakland, *et al.*,

Honorable Sean F. Cox

Defendants.

ORDER OF DISMISSAL

Acting *pro se*, on April 14, 2010, Plaintiff Carl William Harlow filed this action against several defendants, alleging that they violated his civil rights. The action was assigned to the Honorable John O'Meara. Judge O'Meara entered an order dismissing this case for lack of subject matter jurisdiction on August 5, 2010. (Docket Entry No. 2). On January 21, 2011, after receiving information regarding a potential conflict that had not previously been disclosed to the Court, Judge O'Meara entered an order vacating his August 5, 2010 dismissal order, thereby reinstating this case, and disqualifying himself from this action. (Docket Entry No. 4).

This action was then been reassigned to this Court. After the case was reassigned, a review of the docket indicated that any summonses issued by the Clerk of the Court had since expired. Accordingly, in an Order issued on March 7, 2011 (Docket Entry No. 7), this Court directed the "Clerk's Office to re-issue the summonses in this matter, so that Plaintiff may either: 1) arrange for service of the complaint and summons on each named Defendant; or 2) request that the Court order service of the summons and complaint upon each Defendant by a United

States Marshal.”

Thereafter, the Clerk’s Office reissued the summons. Nevertheless, as July 19, 2011, Plaintiff had neither requested that the Court order service of the summons and complaint upon the Defendants, nor had Plaintiff filed proofs of service indicating that any named Defendants had been properly served.

On July 19, 2011, the Court issued an Order to Show Cause that ordered Plaintiff to **“SHOW CAUSE, in writing, no later than August 3, 2011, why his claims against Defendants should not be dismissed for failure to serve Defendants.”** (Docket Entry No. 10) (emphasis in original). Plaintiff has not responded to the Show Cause Order and time for doing so has passed.

Accordingly, IT IS ORDERED that this action is hereby DISMISSED WITHOUT PREJUDICE for failure to serve Defendants.

IT IS SO ORDERED.

Dated: September 6, 2011

S/ Sean F. Cox
Sean F. Cox
U. S. District Court Judge

I hereby certify that on September 6, 2011, the foregoing document was served upon counsel of record by electronic means and upon Carl William Harlow by First Class Mail at the address below:

Carl William Harlow
25350 Crocker Boulevard
Harrison Township, MI 48045

Dated: September 6, 2011

S/ Jennifer Hernandez
Case Manager